



**CITY OF SUNNYVALE
REPORT
Administrative Hearing**

May 10, 2006

SUBJECT: **2006-0353** –Application for a 7,000 square foot site located at **321 America Avenue** in a R-2 (Low-Medium Residential) Zoning District.

Motion Use Permit to allow a new detached garage o up to 485 square feet with a design review for an accessory living unit of up to 540 square feet on the second floor.

REPORT IN BRIEF

Existing Site Conditions Single-Family Home

Surrounding Land Uses

North Single-Family Home

South Single-Family Home

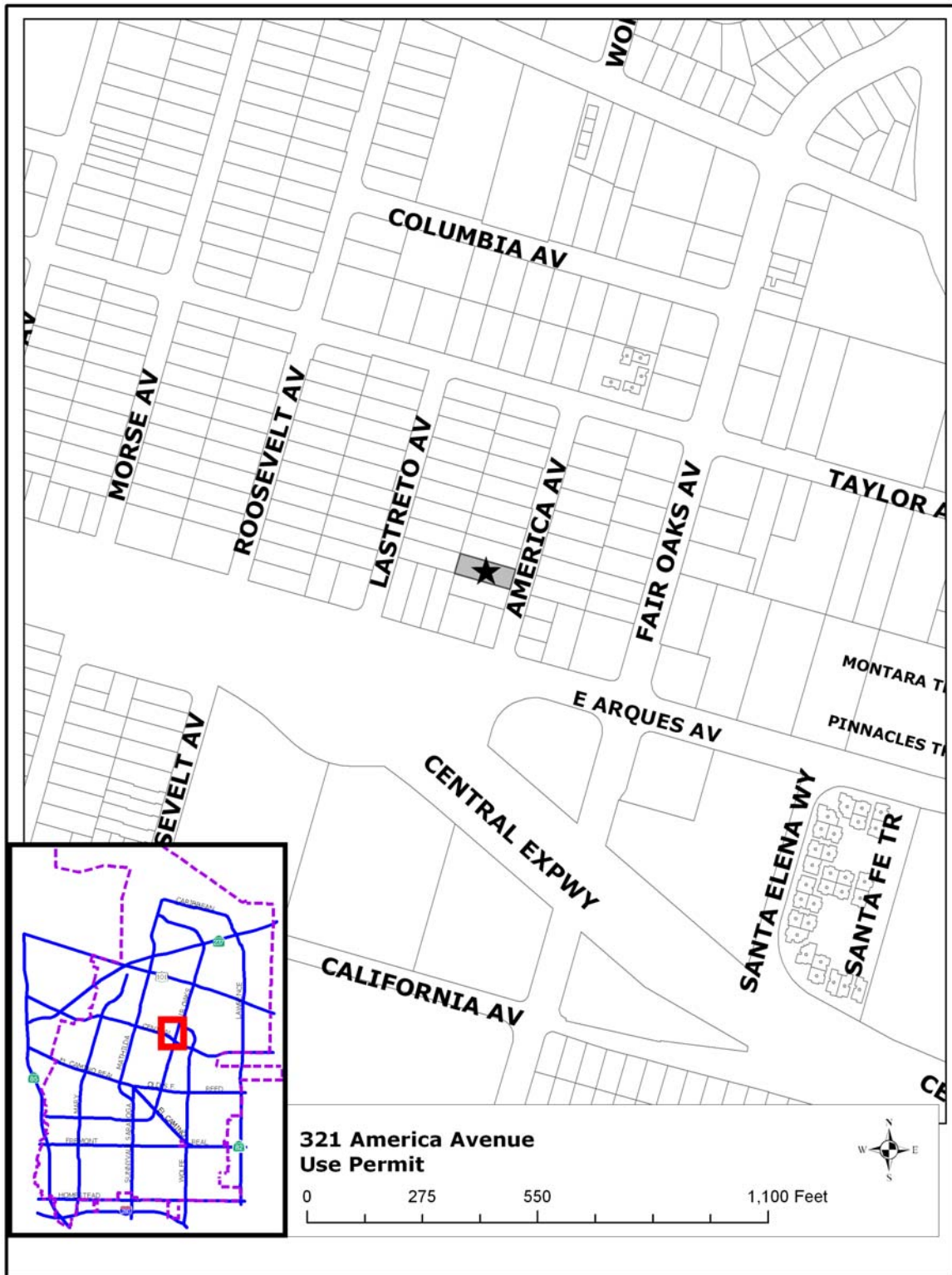
East Single-Family Home

West Single-Family Home (with accessory unit)

Issues Design Review

Environmental Status A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

Staff Recommendation Approval with Conditions



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	RLM	Same	Low-Medium Density
Zoning District	R-2	Same	R-2
Lot Size (s.f.)	7,000 sq ft	Same	5,000
Gross Floor Area (s.f.)	1,008	1,833	3,400 without PC review
Lot Coverage (%)	14.4%	19.3%	40% max.
Floor Area Ratio (FAR)	14.4%	26.2%	45% max. w/o Plng. Comm.
No. of Stories	1	2	2 max.
Height (ft)	12	24	30 feet
Setbacks (facing prop.)			
• Front	18' to porch, 22' to facade	Same	20' min.
• Left Side	7'	4' (7' 2nd floor)	4'/7' min.
• Right Side	13'	Same	8' min.
• Rear	85'	20'	20' min.
Parking			
Total Spaces	2	5	5

ANALYSIS**Description of Proposed Project**

The application is to permit a new detached garage located behind the existing home. In combination with the proposed garage, the applicant has included an accessory dwelling unit on the second floor of the proposed garage. The detached garage requires a use permit due to its proposed size exceeding 450 square feet. However, the 540 square accessory living unit component of the building is allowed by right on this site.

Background

There are no relevant previous planning permits on the property.

Environmental Review

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class 1 Categorical Exemptions includes change of use.

Use Permit

Site Layout: The existing site contains a small one story home located at the front of the lot and an old dilapidated detached garage/shed located behind the home along the north property line. The proposed new buildings will require demolition of the existing detached garage to provide a driveway to the rear of the site. The new structure is proposed along the south property line towards the rear of the lot. The proposed structure meets all setback requirements. The proposed garage provides for the two required covered parking spaces and two uncovered spaces in front of the garage for the main home. The third uncovered parking space for the accessory living unit is located perpendicular to the garage near the north property line and in the rear yard.

Use: The garage is larger than the minimum 400 square foot requirement and provides additional work and storage area for the property owner. Due to the great length of the lot the location of the structure provides ample open space for the property owners between the new detached structure and the existing home. One concern for the applicant with the placement was to ensure that the new structure would not inhibit a future addition to the rear of the home. The proposed spacing of a minimum of 30 feet between buildings will accommodate this goal.

Architecture: The proposed design is squarish in nature to meet the minimum parking requirements for a garage. The design places the structure along the minimum side yard setback for the ground and second floor. The 2nd floor living unit is accessed via an external staircase. The 2nd-story living unit is larger than the ground floor footprint and is cantilevered over the garage entrance. This overhang is accentuated by the use of window popout on the north façade that takes the total overhang to approximately six feet. Staff believes the building is top heavy and disproportionate as designed. Staff is recommending conditions to modify the ground floor dimensions to elongate the garage more to allow for the living unit to be expanded in size with less overhang. Staff is also recommending against permitting the popout on the second floor of any overhanging area. The final design would increase the

south ground floor setback and allow for a three-foot overhang to the north. The external staircase will also be move accommodate vehicular access and to more appropriately enter the living area of the accessory unit. The staff conditions for modifications still maintain a 30-foot separation between the main home and the new building.

The applicant has proposed horizontal siding and composition shingles as the primary building materials. Staff is supportive of these materials and will continue to work with the applicant on a revised design that includes appropriate wood trim and decorative details.

Parking/Circulation: The proposed two covered and three uncovered parking spaces meets the parking requirement for a site that includes a house and an accessory living unit. The design includes a one-lane 13-foot driveway along the north boundary of the property. Vehicles leaving the site will in most instances be required to back all the way out to America Avenue. The turning radius and backup distance have been reviewed by the Transportation Division and a condition of approval is included in the report to move the staircase location to allow for the appropriate backup maneuver.

Compliance with Development Standards/Guidelines: The zoning code requires accessory structures be less than 450 square feet in size or a use permit is required. The accessory living unit component is required to be less than 700 square feet to be approved. The current use permit proposal accommodates all related development standards for the R-2 zoning district in terms of setbacks and coverage and the standards for accessory living unit size, parking, and configuration.

Expected Impact on the Surroundings: The proposed use complies with standard R-2 development requirements. The existing site currently has a driveway along the north property line and will not be a significant change from existing conditions. The design does add bulk to the rear of the site, however, it is no different that a two-story addition to the home and the two adjacent properties to the rear of the site have similar two story additions/living units situated at the rear setback. The primary change to the current conditions of the site will be the third parking space placed in the rear yard. This activity would differ from the surrounding area but should not cause significant noise and compatibility problems.

Fiscal Impact

No fiscal impacts other than normal fees and taxes are expected.

Public Contact

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none">• Published in the <i>Sun</i> newspaper• Posted on the site• 8 notices mailed to property owners and residents adjacent to the project site	<ul style="list-style-type: none">• Posted on the City of Sunnyvale's Website• Provided at the Reference Section of the City of Sunnyvale's Public Library	<ul style="list-style-type: none">• Posted on the City's official notice bulletin board• City of Sunnyvale's Website• Recorded for SunDial

Findings and General Plan Goals: Staff was able to make the required Findings based on the justifications for the use permit. Findings and General Plan Goals are located in Attachment A.

Conditions of Approval: Conditions of Approval are located in Attachment B.

Alternatives

1. Approve the Use Permit with attached conditions.
2. Approve the Use Permit with modified conditions.
3. Deny the Use Permit.

Recommendation

Alternative 1.

Prepared by:

Kelly Diekmann
Associate Planner

Reviewed by:

Steve Lynch
Senior Planner

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Site and Architectural Plans

Goals and Policies that relate to this project are:

Land Use and Transportation Element

Policy N1.4 – *Preserve and enhance the high quality character of residential neighborhoods.*

USE PERMIT FINDINGS

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale (*Finding Met*).

The project meets the applicable zoning district standards and provides for adequate open space on the site.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties (*Finding Met*).

The proposed addition is set behind the existing home and does not change the character of the street. The proposed use meets all development standards and is not a significant change from existing access patterns and the proposed bulk is similar to that of adjacent homes to the rear of the site.

Recommended Conditions of Approval - Use Permit

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. GENERAL CONDITIONS

- A. Project shall be in conformance with the plans approved at the public hearing(s). Minor changes may be approved by the Director of Community Development, major changes may be approved at a public hearing.
- B. The Use Permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date.
- C. Any expansion or modification of the approved use shall be approved by separate application.
- D. Prior to the issuance of a building permit record a deed restriction with the Planning Department requiring owner occupancy for one of the two housing units on the property.
- E. Prior to the issuance of a building permit the following design modifications are required:
 - 1. Modify the ground floor footprint to elongate the base and pull the building back to a seven foot setback to the south.
 - 2. Modify the upper level unit to allow for a maximum of a three foot overhang.
 - 3. Remove the window popout from the upper level overhang.
 - 4. Move the staircase away from the driveway approach.
 - 5. Provide decorative wood trim around windows.
 - 6. Provide decorative accents to provide interest and relief to the revised design, including potential columns or brackets to the overhang and to the staircase railings.

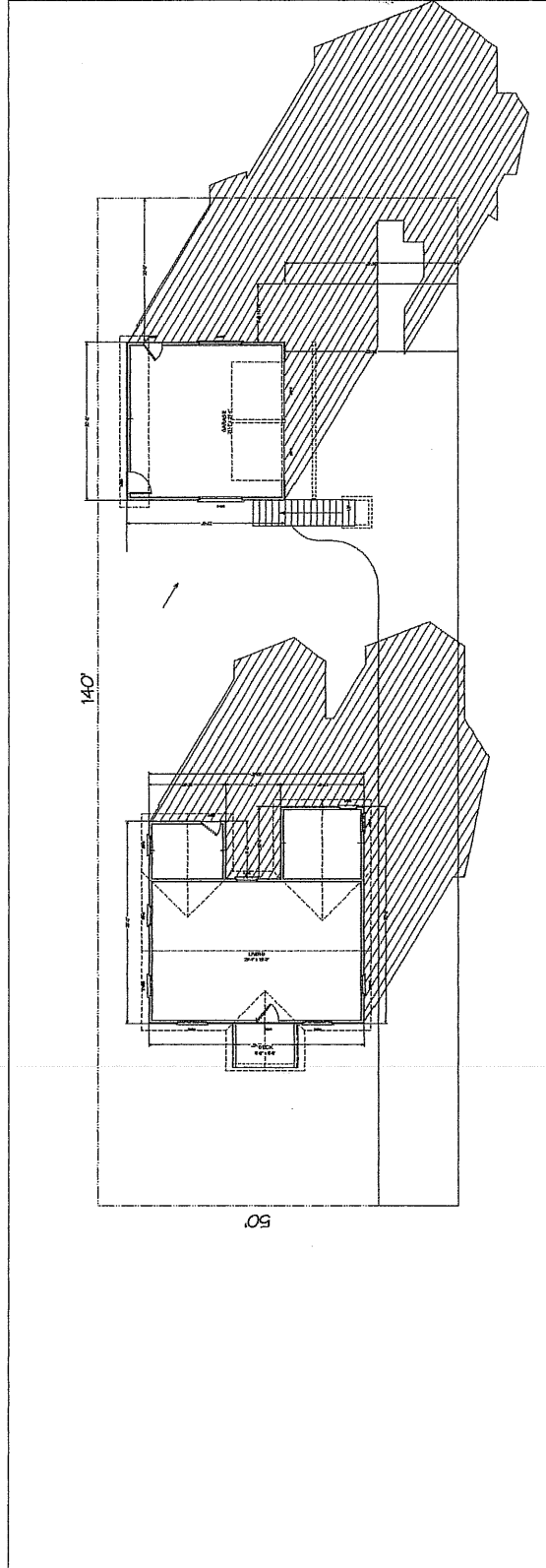
Date: 10/26/14
 Scale:
 Drawn:
 Job:
 Sheet:

TDCS Design Associates
 Commercial Contracting Services
 Lic. # 455970
 148 Valley Avenue
 Sunnyvale, California 94086
 Phone: (408) 720-1120
 Fax: (408) 720-1121

TIMOTHY AND ROSEMARY WASHBURN
 321 AMERICA AVENUE
 SUNNYVALE, CA 94085

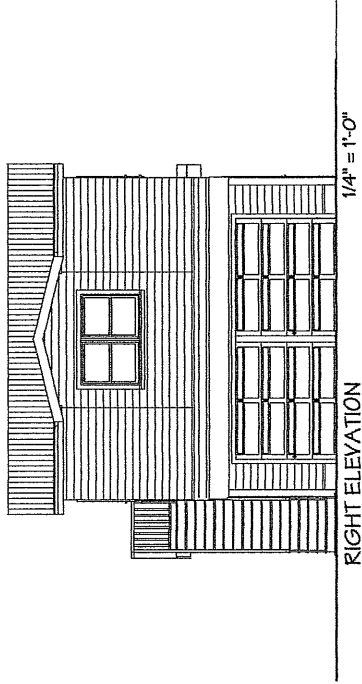
CONTRACTOR SHALL VERIFY ALL
 CONDITIONS AND DIMENSIONS AT THE JOB
 SITE AND NOTIFY THE ARCHITECT OF ANY
 DIMENSIONAL ERRORS, OMISSIONS OR
 DISCREPANCIES BEFORE BEGINNING OR
 FABRICATING ANY WORK.

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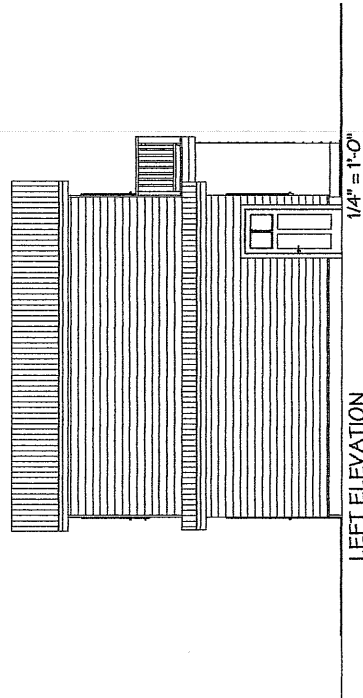
SITE PLAN

1/8" = 1'-0"



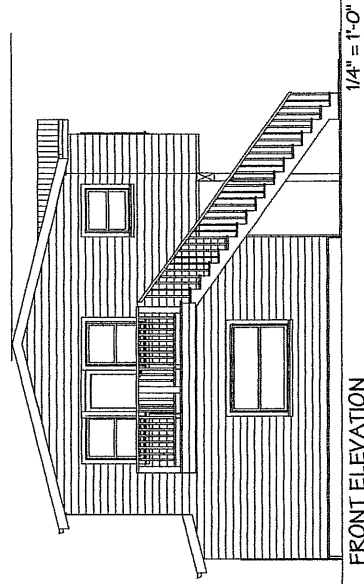
RIGHT ELEVATION

1/4" = 1'-0"



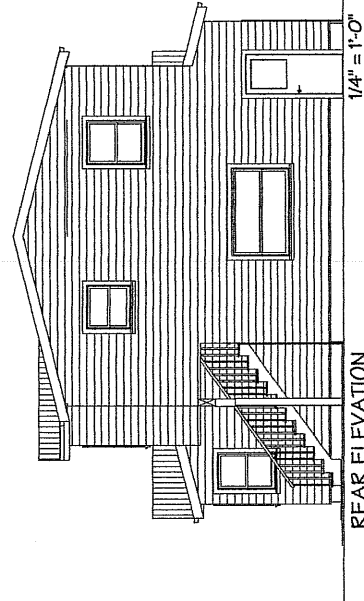
LEFT ELEVATION

1/4" = 1'-0"



FRONT ELEVATION

1/4" = 1'-0"



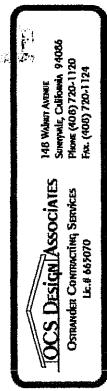
REAR ELEVATION

1/4" = 1'-0"

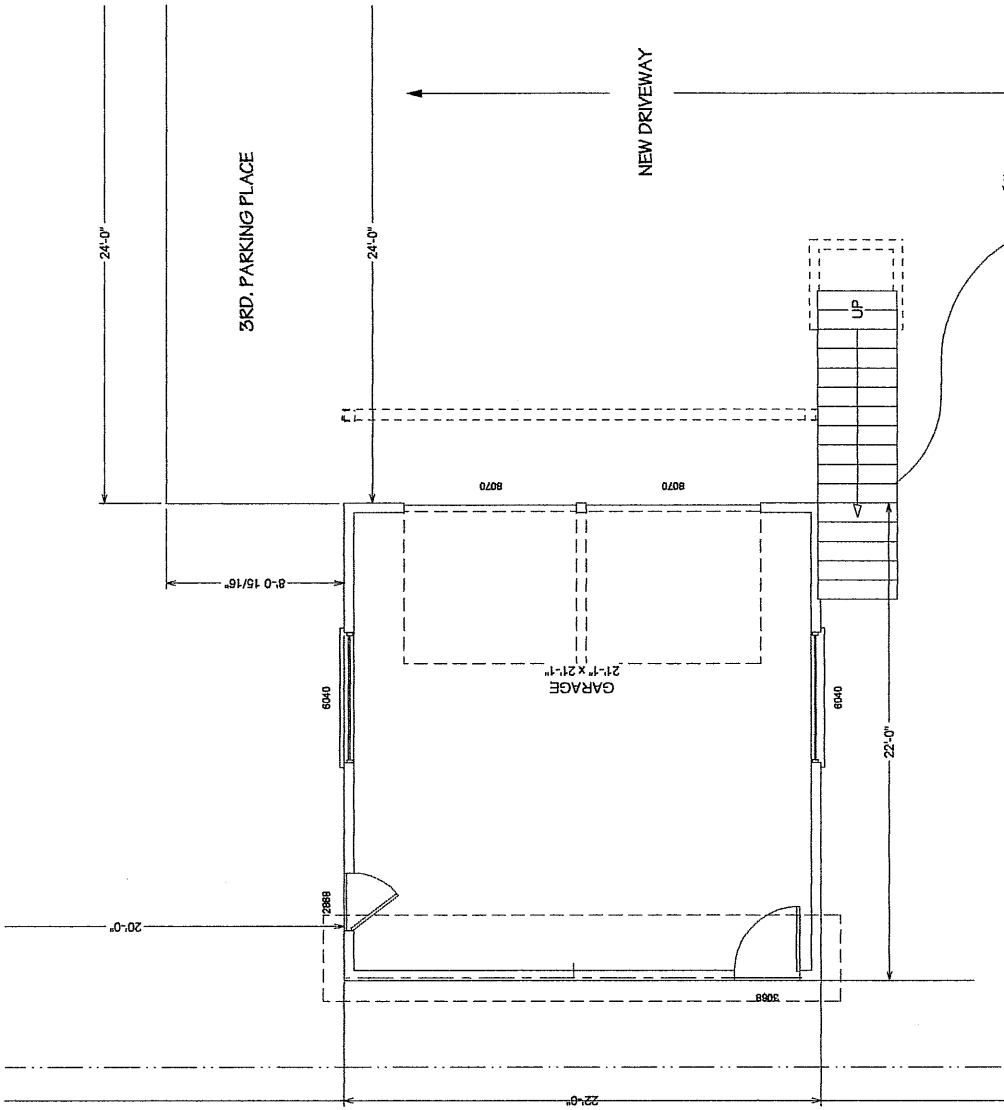
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EXTERIOR ELEVATIONS

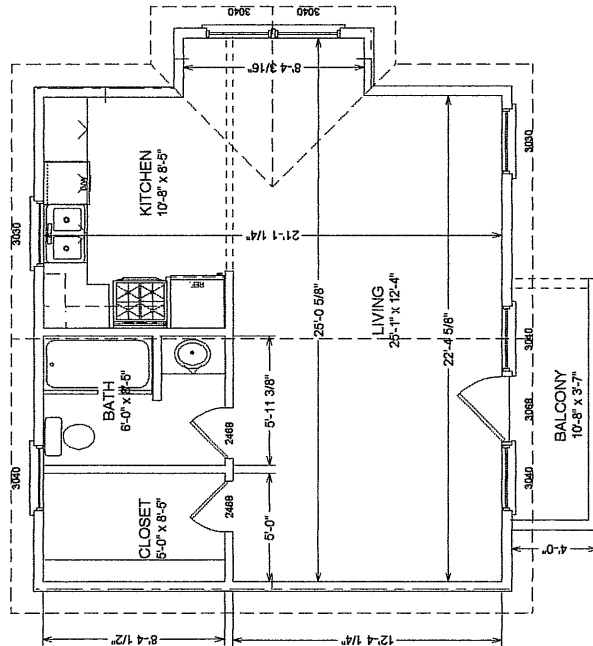
TIMOTHY AND ROSEMARY WASHBURN
321 AMERICA AVENUE
SUNNYVALE, CA 94085



Date: 10/26/05
Scale: 1/4" = 1'-0"
Drawn: 10/26/05
Job: 10/26/05
Sheet: 10/26/05



3/8" = 1'-0" GARAGE 3/8" = 1'-0"

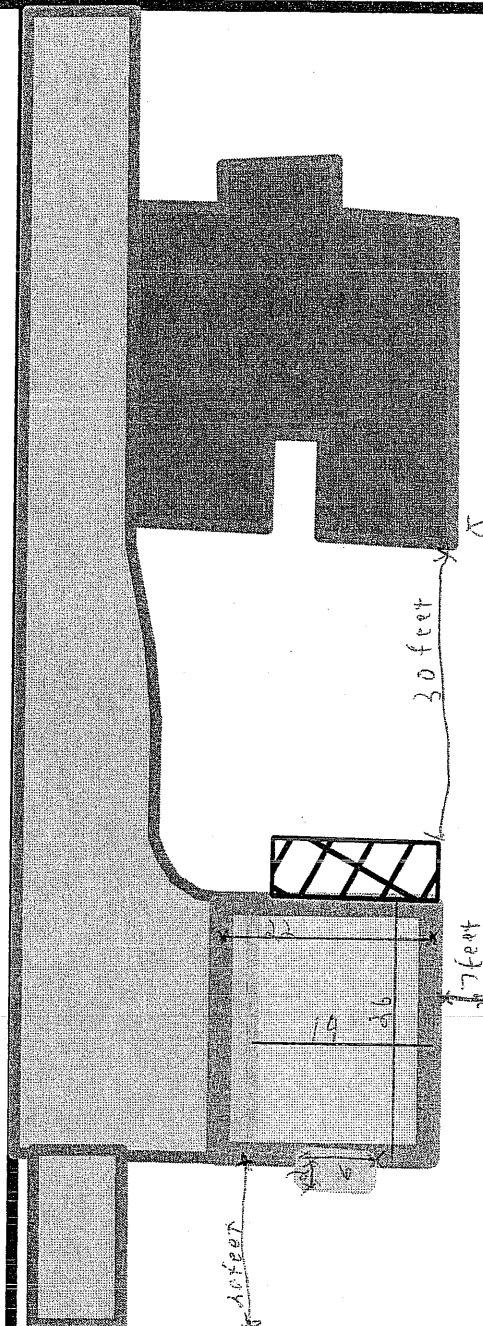


Revised per COA

ATTACHMENT C

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America



existing home

11-20-06